

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

MICHAEL ROBERTS  
*Plaintiff*

V.

CIVIL ACTION NO. 05-454 -GMS

ALTAIR LINES S.A.  
(referred to in Complaint  
as M/V SHINANO REEFER *in personam*)  
*Defendant / Third-Party Plaintiff*

V.

ACTIVE CRANE RENTALS, INC.  
Third Party Defendant/ Fourth  
Party Defendant

V.

MURPHY MARINE SERVICES and  
MAGCO CRANE RENTALS  
*Fourth Party Defendants*

**STIPULATION OF DISMISSAL WITH PREJUDICE PURSUANT TO A  
SETTLEMENT AGREEMENT BETWEEN THE PARTIES**

Plaintiff Michael Roberts, Altair Lines S. A. , Active Crane Rentals, Inc., Magco Crane, and Murphy Marine Services, Inc. by and through their undersigned attorneys hereby stipulate and agree that the captioned action is hereby DISMISSED WITH PREJUDICE pursuant to a settlement agreement between the parties.

PETER E. HESS ESQUIRE

By: /s/  
Peter E. Hess, Esq.  
Attorneys for Plaintiff Michael Roberts

PALMER BIEZUP &amp; HENDERSON LLP

By:                     /s/                      
Michael B. McCauley  
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HOLLSTEIN, KEATING, CATTELL,  
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REGER RIZZO KAVULICH &  
DARNELL, LLP

By:                     /s/                      
Lynne M. Parker  
Attorneys for Fourth Party Defendant  
Murphy Marine Services, Inc.

By: /s/ /  
Louis J. Rizzo, Jr.  
Attorneys for Third Party Defendant  
Active Crane Rentals, Inc.

SWARTZ CAMPBELL LLC

By: \_\_\_\_\_ /s/  
Nicholas E. Skiles  
Attorneys for Fourth Party Defendant  
Magco Crane

Dated :January 3, 2007

APPROVED BY THE COURT:

J.